APPLICANT: RJR Group, Ltd. PROJECT LOCATION/WATERWAY: +/- 110 Acre Creekside Property south of Church Street and West of Dixie Highway in Beecher, Will County, Illinois. FILE NUMBER: LRC-2006-1333 PROJECT REVIEW COMPLETED: ☑ Office ☐ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: BEECHER EAST. U. S. Geological Survey Hydrologic Atlas: BEECHER EAST, 302. USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: BEECHER EAST, 1990. U. S. Geological Survey 7.5-Minute Historic Quadrangles:
Rationale for Basis (applies to any boxes checked above): Wetlands A, B and C have surface flow connections to the unnamed tributary to Trim Creek that runs through the property; the unnamed tributary to Trim Creek (with adjacent wetlands) flows into Trim Creek, which then flows into the Kankakee River, a navigable in-fact waterway.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated November 22, 2006, prepared by JFNew. ☐ This office does not confirm your wetland boundary
Recommended by:
Approved by: Date: O 5 0 8 C O C
Wetlands are identified and delineated using the methods and criteria established in the Corns Wetland Delineation Manual (87 Manual) (i.e.

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1333			
REGULATORY PROJECT MANAGER:	Mike Machalek	Date: 12/04/2	2006
PROJECT REVIEW/DETERMINATION CO		In the office Y (Y/N) he project site N (Y/N)	Date: 12/04/2006 Date:
PROJECT LOCATION INFORMATION:		• •	
State:		Illia	iois
County:		Wil	l
Center coordinates of site by latitude	e & longitudinal co-	ordinates:	
Approximate size of site/property (in	cluding uplands &	in acres): 110	Acres
Name of waterway or watershed:			
SITE CONDITIONS:			

Type of aquatic resource ^t	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
Check appropriate boxes that b		type of iso	lated, non-	navigable, in	tra-state wat	er present an	d best estima	ite for size of	non-

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					
Is or would be used as habitat by other migratory birds that cross state lines?					
Is or would be used as habitat for endangered species?				\boxtimes	
Is used to irrigate crops sold in interstate commerce?				\boxtimes	
Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,					jurisdictional, isolated,
non-navigable, intra-state aquatic resource area.					

Preliminary ☐ Or Approved ⊠

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OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 –
rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce
connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

APPLICANT: Orren Pickell Designers & Builders	PROJECT LOCATION/WATERWAY: North Branch/Bannockburn
FILE NUMBER: LRC-2006-1148	PROJECT REVIEW COMPLETED: ⊠ Office ⊠Field
action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on There are waters of the United States of	the project site.
Basis of Jurisdictional Determination:	
interstate or foreign commerce, including all was of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (includin The presence of a tributary to an interstate The presence of wetlands adjacent ² (bord except for those wetlands adjacent to other The presence of an isolated water (e.g., int	y used, or were used in the past, or may be susceptible for use to transport aters which are subject to the ebb and flow of the tide (i.e., navigable waters ag interstate wetlands ¹). (33 CFR 328.3 (a)(2)) water or other water of the US. (33 CFR 328.3 (a)(5)) ering, contiguous, or neighboring) to interstate or other waters of the US,
Information Reviewed	
U. S. Geological Survey 7.5 Minute FU. S. Geological Survey 15 Minute H	Atlas: on Service Soil Survey for Lake County. Topographic Maps: HIGHLAND PARK, 1993. Historic Quadrangles: istoric Quadrangles: 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002 & 2005 ps: LAKE COUNTY.
River, a navigable water of the United States, and a	above): Wetlands 3 & 4 are tributary to the North Branch of the Chicago re therefore also waters of the United States under the jurisdiction of the ve a discernable surface water connection to a water of the United States and ment of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 and 3 Ordinary High Water Mark indice clear, natural line impressed on the the presence of litter and debris changes in the character of soil wetland boundary	cated by:
Basis for Declining Jurisdiction:	
Area under consideration is likely to h Area under consideration is not likely	sted in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ave been jurisdictional under pre-SWANCC Migratory Bird Rule criteria have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdicti	on on the basis of 328.3(a)(3) [attach copy of HQ rationale]
	Date: Date:
Approved by:	Date:
Wetlands are identified and delineated using the methods	and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

^{&#}x27;Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1	148								
REGULATORY PROJECT M	IANAGE	R: M	ichael Mu	rphy	Date:	December 4	, 2006		
PROJECT REVIEW/DETERM	MINATIO	ON COM	PLETED	: In th	ne office oject site	(Y/N) (Y/N)	Date: Dec Date: July	ember 4, 200 6, 2006)6
PROJECT LOCATION INFO	RMATIC	N:							
State:						Illinois			
County:						Lake			
Center coordinates of	site by la	atitude &	longitudi	nal coordin	ates:	42.1965	777, -87.863	7981	
Approximate size of s	ite/prope	rty (inclu	iding upla	nds & in ac	res):	32 ac			
Name of waterway or	watersh	ed:				North B	ranch of the	Chicago Riv	er
SITE CONDITIONS:									
		_							
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	U

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	\boxtimes								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

jurisdictional aquatic resource area.

Migratory Bird Rule Factors':	If Known		If Unknown		
			Use Best Pro	fessional Judgment	
	Yes	No	Predicted	Not Expected to	Not Able To Make
			to Occur	Occur	Determination
Is or would be used as habitat for birds protected by			\boxtimes		
Migratory Bird Treaties?					
Is or would be used as habitat by other migratory birds that			\boxtimes		
cross state lines?					
Is or would be used as habitat for endangered species?				\boxtimes	
Is used to irrigate crops sold in interstate commerce?					
Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,					
non-navigable, intra-state aquatic resource area.					

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:

APPLICANT: Green Bay Crossing, LLC	PROJECT LOCATION/WATERWAY: trib to Kellogg Creek/Zion
FILE NUMBER: LRC-2006-629	PROJECT REVIEW COMPLETED: Office Field
action. (33 CFR 331.2) Based on available information: There are no waters on the projection of the projection of the United States.	ters on the project site.
Basis of Jurisdictional Determination:	
☐ The presence of waters which are content interstate or foreign commerce, including of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate waters (in Image) The presence of a tributary to an int Image] The presence of wetlands adjacent the except for those wetlands adjacent the Image] The presence of an isolated water (content in Image).	f the United States present on the project site. currently used, or were used in the past, or may be susceptible for use to transport g all waters which are subject to the ebb and flow of the tide (i.e., navigable waters including interstate wetlands ¹). (33 CFR 328.3 (a)(2)) erstate water or other water of the US. (33 CFR 328.3 (a)(5)) (bordering, contiguous, or neighboring) to interstate or other waters of the US, o other wetlands. (33 CFR 328.3 (a)(7)) e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, potholes, wet meadows, playa lakes, or natural ponds).
Information Reviewed	
 U. S. Geological Survey Hydro ✓ USDA Natural Resources Const ✓ U. S. Geological Survey 7.5 M ✓ U. S. Geological Survey 7.5 M ✓ U. S. Geological Survey 15 Mi 	servation Service Soil Survey for Lake County. inute Topographic Maps: WADSWORTH, 1993. inute Historic Quadrangles: nute Historic Quadrangles: County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002, & 2005 and Maps: LAKE COUNTY.
United States, via Kellogg Creek and are there	tecked above): Wetland 1 is tributary to Lake Michigan, a navigable water of the efore a water of the United States under the jurisdicition of the Department of the able surface water connection to a water of the United States and are therefore not e Army.
Ordinary High Water Man clear, natural line impressed the presence of litter and de changes in the character of second wetland boundary	rk indicated by: d on the bank
Basis for Declining Jurisdiction:	
Area under consideration is like	aters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jur	risdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
This office does not confirm your v	nd delineation report dated November 29, 2005, prepared by STS Consultants, LTD vetland boundary
Recommended by:	Date:Date
Approved by:	Date:
Wetlands are identified and delineated using the m	ethods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPLICANT: Commonwealth Edison FILE NUMBER: LRC-2006-1214	PROJECT LOCATION/WATERWAY: Homer Glen/Long Run trib PROJECT REVIEW COMPLETED: ☑ Office ☐ Field
action. (33 CFR 331.2) Based on available information: There are no waters on the project of the project of the project of the project of the United States.	on the project site.
Basis of Jurisdictional Determination:	
☐ The presence of waters which are curre interstate or foreign commerce, including al of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate waters (inclu ☐ The presence of a tributary to an interst ☐ The presence of wetlands adjacent to o ☐ The presence of an isolated water (e.g.,	e United States present on the project site. In the project site of the past, or may be susceptible for use to transport of waters which are subject to the ebb and flow of the tide (i.e., navigable waters adding interstate wetlands). (33 CFR 328.3 (a)(2)) tate water or other water of the US. (33 CFR 328.3 (a)(5)) ordering, contiguous, or neighboring) to interstate or other waters of the US, ther wetlands. (33 CFR 328.3 (a)(7)) intrastate lakes, rivers, streams (including intermittent streams), mudflats, tholes, wet meadows, playa lakes, or natural ponds).
 U. S. Geological Survey Hydrolog ✓ USDA Natural Resources Conserv ✓ U. S. Geological Survey 7.5-Minu ✓ U. S. Geological Survey 7.5-Minu 	vation Service Soil Survey for Will County. te Topographic Maps: MOKENA, 1993. te Historic Quadrangles: e Historic Quadrangles: per 2001, 2002, & 2005
River, a navigable water of the United States belo jurisdiction of the Department of the Army. Wet	sed above): Wetland 3 is a tributary to Long Run and thence the Des Plaines ow Hoffman Dam, and is therefore also a water of the United States under the lands 1, 2, and the Farmed Wetland have no discernable surface water a not under the jurisdiction of the Department of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 an Ordinary High Water Mark indicated b clear, natural line impressed on th the presence of litter and debris changes in the character of soil wetland boundary	y:
Basis for Declining Jurisdiction:	
Area under consideration is likely t Area under consideration is not like	rs listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Confirmation of Wetland Boundaries This office concurs with your wetland of	delineation report dated October 3, 2006, prepared by CBBEL.
Recommended by:	Date:
Approved by:	Date:
Wetlands are identified and delineated using the metho	ods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

Michael Murphy	Date:	11-28-2006	
		(Y/N) (Y/N)	Date: 11-28-2006 Date:
		Illinois	
		Will	•
e & longitudinal coo	rdinates:	41.61626	698, -87.9348453
ncluding uplands & i	n acres):	17	
• •	•	Long Ru	in Creek trib/Des Plaines Rive
	OMPLETED: At the	. ,	OMPLETED: In the office (Y/N) At the project site (Y/N) Illinois Will e & longitudinal coordinates: 41.61620 acluding uplands & in acres): 17

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									15
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
Check appropriate boxes that b	est describe	type of iso	lated, non-	navigable, ji	tra-state wat	er present an	d best estim	ate for size of	non-
jurisdictional aquatic resource a		., pc or 130	inicu, non-	marigatic, ii	icia-state wat	er present an	a sest estilli	att 101 3126 01	11011-

Migratory Bird Rule Factors ¹ :	If K		If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?				\boxtimes		
Is used to irrigate crops sold in interstate commerce?						
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of th	ne Migratory	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated,	

Preliminary ☐ Or Approved ⊠

TYPE OF DETERMINATION:

APPLICANT: Grand Pointe Homes PROJECT LOCATION/WATERWAY: Huntley
FILE NUMBER: LRC-2006-944 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: HUNTLEY. ☑ U. S. Geological Survey Hydrologic Atlas: HUNTLEY, HA 361. ☑ USDA National Resources Conservation Service Soil Survey for McHenry County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: HUNTLEY, 1992. ☑ U. S. Geological Survey 7.5 Minute Historic Quadrangles: ☑ U. S. Geological Survey 15 Minute Historic Quadrangles: ☑ Aerial Photographs (Name & Date): ☒ Advanced Identification Wetland Maps: MCHENRY COUNTY ☒ Site Visit Conducted on: 10/12/06 ☑ Other information:
Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated October 10, 2006 as prepared by Phoenix Environmental, Inc. Wetland B, Wetland C and Farmed Wetland 1 are tributary to the Kishwauke River. The Kishwaukee River flows to the Rock River, a navigable waterway under Department of the Army jurisdiction. For these reasons, Wetland B and C and Farmed Wetland 1 are waters of the U.S. Wetland A is isolated and not regulated by the Department of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation shelving changes in the character of soil destruction of terrestrial vegetation shelving other: wetland boundary
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated October 10, 2006, prepared by Phoenix Environmental Inc. ☐ This office does not confirm your wetland boundary
Date:
Approved by:

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-944				
REGULATORY PROJECT MANAGER:	Kate Bliss	Date:	12/12/06	
PROJECT REVIEW/DETERMINATION CO		In the office t the project site Y	(Y/N) (Y/N) Da	Date: ate: 10/12/06
PROJECT LOCATION INFORMATION:				
State:			Illinois	
County:			McHenr	у
Center coordinates of site by latitude	e & longitudinal	coordinates:	42.1612	025533,-88.4148424625
Approximate size of site/property (in	ncluding uplands	& in acres):	96	•
Name of waterway or watershed:	0.	,	Kishwau	ikee
SITE CONDITIONS:				

Type of aquatic resource ¹	0-1 ас	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River						 			
Stream		1 🗖		Ť					
Dry Wash		† <u> </u>	1百	i 	16	t 🗂 📉	1 🗂		
Mudflat		15	15		15		† 		
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									T m
Playa lake		† <u> </u>					ΤΠ		
Vernal pool							† <u> </u>		T
Natural pond		1 🗖 💳	↑ 🗖						
Other water (identify type)	$\exists \overline{\Box}$				† =	T	Ī		
	-								

Migratory Bird Rule Factors ¹ :	If Knov	ΥN	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?				\boxtimes			
Is used to irrigate crops sold in interstate commerce?				\boxtimes			
¹ Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability o	f the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:	
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APPLICANT: Roger Gerstad PROJECT LOCATION/WATERWAY: Boone Creek, Bull Valley
FILE NUMBER: LRC-2006-1026 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: MCHENRY. ☐ U. S. Geological Survey Hydrologic Atlas:
Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated August 1, 2006, Wetland 1 and Farmed Wetland 1 are associated with Boone Creek. Boone Creek drains to the Fox River, a navigable waterway under Department of the Army jurisdiction. Therefore, Wetland 1 and Farmed Wetland 1 are waters of the U.S. Farmed Wetland 2 is isolated and not regulated by the Department of the Army.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated August 1, 2006, prepared by Hey and Associates, Inc. This office does not confirm your wetland boundary
Recommended by: Date: 12 12 06
Date:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: LRC-2006-1026				
REGULATORY PROJECT MANAGER:	Kate Bliss	Date:	12/12/06	5
PROJECT REVIEW/DETERMINATION CO	MPLETED:	In the office At the project site Y	(Y/N (Y/N)	•
PROJECT LOCATION INFORMATION:				
State:			Illino	is
County:			McHe	enry
Center coordinates of site by latitude	& longitudin	al coordinates:	42.32	16345975, -88.3173745036
Approximate size of site/property (inc	cluding uplan	ds & in acres):	303	
Name of waterway or watershed:			Fox	
SITE CONDITIONS:				

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	$\overline{\boxtimes}$								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond		1 🗖 🗀	1 🗖			1 🗇			
Other water (identify type)									
	_								
¹ Check appropriate boxes that jurisdictional aquatic resource		type of iso	olated, non	-navigable, i	ntra-state wa	ter present ai	nd best estim	ate for size of	f non-

Migratory Bird Rule Factors1: If Known If Unknown **Use Best Professional Judgment** Yes No Predicted Not Expected to Not Able To Make to Occur Occur Determination Is or would be used as habitat for birds protected by \boxtimes **Migratory Bird Treaties?** \boxtimes Is or would be used as habitat by other migratory birds that cross state lines? Is or would be used as habitat for endangered species? X Is used to irrigate crops sold in interstate commerce? 1 Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

Preliminary ☐ Or Approved ⊠

TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago

APPLICANT: Sentry Construction PROJECT LOCATION/WATERWAY: Kane County
FILE NUMBER: LRC-2006-781 PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: PINEGREE GROVE. U. S. Geological Survey Hydrologic Atlas: PINGREE GROVE, HA 232. USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: PINGREE GROVE, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date):2001 Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: 8/10/2006 Other information: FEMA FIRM Map, NRCS Swampbuster Map
Rationale for Basis (applies to any boxes checked above): Wetland 1 and Tyler Creek drain to the Fox River, navigable
waterway, and are therefore subject to Department of the Army regulations. Wetland 2 and Wetland 3 do not exhibit a surface water connection to a navigable waterway, and are therefore not subject to Department of the Army regulations. Please note that all wetlands on site correspond to ADID High Functioning Wetland #466.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):
Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils wetland boundary
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated May 17, 2006, prepared by Christopher B. Burke Engineering West, Ltd ☐ This office does not confirm your wetland boundary.
Recommended by: Date: 12-14-06
Approved by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicag									
REGULATORY PROJECT		R: Ki	imberly l	Fisher	Da	te: 12/14/200	06		
PROJECT REVIEW/DETER			PLETE		n the office project site	(Y/N) eY (Y/N) I) Date: Date: 8/10/2006	,	
PROJECT LOCATION INF State: County: Center coordinates Approximate size of Name of waterway SITE CONDITIONS:	of site by I f site/prope	atitude & erty (inclu				38.6	s 5862, -88.40914 Creek, Upper Fo		
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 a	c 25-50 ac	> 50 ac	Linear feet	Unknown
Lake					\neg		$\neg \neg \neg$	1000	
River	- - - - - - - - - - 	┼┼┤	H	ᆂ	- - 	$\dashv \exists \neg$	 		+=
Stream	+=-	 	H	- 	ᅮ	- - - - - - - - - - 	ᅥ片		+=
Dry Wash	ᅥH	╁┼	╁┼┼	- 남		+=	$\dashv \vdash \vdash$		│
Mudflat		+=-	╁╫┈	<u> </u>			- 		+=-
Sandflat	++-	+=-	╁┼		$\dashv \exists -$	$\dashv \dashv \vdash$			+=
Wetlands		┼∺	╁┼		- - - - - - - - - - - - - -		- - - 		+=-
Slough	- 121 -	+	片		$\dashv \dashv \dashv$				ᆛ片
		1 🖳 —	 	- - - - - - - - - - - - - -					+片
Prairie pothole Wet meadow		 	├		- - -				
	- 남	│ 		++-			- <u>- </u> - 		
Playa lake	- - 	<u> </u>	 	<u> </u>	<u> </u>				
Vernal pool		<u> </u>	1	- - 					+ 片
Natural pond		 - - - - - - - - -	 	- - -	 -				
Other water (identify type) Check appropriate boxes that b	est describe	type of iso	lated, no	n-navigable	, intra-state	water present	and best estimat	e for size of	f non-
jurisdictional aquatic resource a					-	<u> </u>			
Migratory Bird Rule Factors ¹ :		THE THE PERSON NAMED IN		If Known	Selection Services	If Unknown	ofessional Judgmo		
		C0199 (pt)	Accessor.	Yes	No	Predicted	Not Expected	to Not	Able To Make
Is or would be used as habitat fo	r birds prot	ected by	2534258			to Occur	Occur		etermination
Migratory Bird Treaties? Is or would be used as habitat by cross state lines?	other migr	atory bird	s that			\boxtimes			_
Is or would be used as habitat fo	r endanger	d species?				П			
Is used to irrigate crops sold in i				Ħ	H	 	N N		
Check appropriate boxes that b	est describe	potential f	or applic	ability of th	ie Migratory	Bird Rule to		on-jurisdic	tional, isolated
TYPE OF DETERMINATION					Pro	eliminary [Or Approv	ed 🗵	

U.S. Army Corps of Engineers, Chicago District

APPLICANT: St. Charles Park District PROJECT LOCATION/WATERWAY: Kane County

FILE NUMBER: LRC-2006-782 PROJECT REVIEW COMPLETED: ⊠ Office ⊠ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. ☐ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: GENEVA. U. S. Geological Survey Hydrologic Atlas: GENEVA, HA 142. □ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date):1980, 2004 Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: 6/22/2006, 7/25/2006, 11/28/2006 Other information: FEMA FIRM map, drain tile survey, NRCS certification, NRCS Swambuster Map Rationale for Basis (applies to any boxes checked above): Wetland 1 drains west and through a visible drain tile and resurfaces west of the subject property at another visible tile. Wetland 1 and the offsite Wetland 2 are tributary to Ferson Creek, which drains to the Fox River, a navigable waterway, and are therefore subject to Department of the Army regulations. The Farmed Wetland located on the northern portion of the property does not exhibit a surface water connection to a navigable waterway, and is therefore not subject to Department of the Army regulations. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation shelving the presence of litter and debris changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated 6/20/06 revised 10/4/06, prepared by Christopher B. Burke Engineering West, Ltd.. This office does not confirm your wetland boundary. Date: 12-19-2006 Recommended by: Date: 12-2--2-06 Approved by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: LRC-2006-782				
REGULATORY PROJECT MANAGER:	Kimberly Fisher	Date:	12/18/2006	
PROJECT REVIEW/DETERMINATION C		the office project siteY ((Y/N) (Y/N) Da	Date: ate: 6/22/2006, 7/25/2006,
11/28/2006				
PROJECT LOCATION INFORMATION:				
State:			Illinois	
County:			Kane	
Center coordinates of site by latitud	le & longitudinal coord	inates:	41.9525	85, -88.348519
Approximate size of site/property (i			113	
Name of waterway or watershed:	•	•	Lower I	Fox, Ferson Creek
SITE CONDITIONS:				

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
	_								
¹ Check appropriate boxes that jurisdictional aquatic resource		type of iso	olated, non	-navigable, i	ntra-state wa	ter present at	nd best estim	ate for size o	f non-

If Known If Unknown Migratory Bird Rule Factors¹: Use Best Professional Judgment Yes No Predicted Not Expected to Not Able To Make Occur Determination to Occur X Is or would be used as habitat for birds protected by Migratory Bird Treaties? \boxtimes Is or would be used as habitat by other migratory birds that cross state lines? \boxtimes П Is or would be used as habitat for endangered species? Is used to irrigate crops sold in interstate commerce? Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

Preliminary ☐ Or Approved ⊠

TYPE	OF	DETERMINA	ATION:
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APPLICANT: M&R Development, LLC PROJECT LOCATION/WATERWAY: West of Interstate 355 and North of Rot 56 in the Village of Downers Grove, DuPage County, Illinois/Glen Park Channel
FILE NUMBER: LRC-2006-792 PROJECT REVIEW COMPLETED: ☑ Office ☐ Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 ☐ There are no jurisdictional waters of the United States present on the project site. ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable water of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). ☐ Other: ☐ Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: WHEATON. U. S. Geological Survey Hydrologic Atlas: WHEATON, HA 148. USDA Natural Resources Conservation Service Soil Survey for DuPage County. U. S. Geological Survey 7.5 Minute Topographic Maps: WHEATON, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): Advanced Identification Wetland Maps: DUPAGE COUNTY Site Visit Conducted on: Other information:
Rationale for Basis (applies to any boxes checked above): The project site contains an unnamed tributary to the Glen Park Channel and the Glen Park Channel that is located north of the project area which drains to the East Branch DuPage River.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary
Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7). ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria. ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria.
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated to /2. prepared by Encurp, Inc., This office does not confirm your wetland boundary. Recommended by: Date: 12-18-2006
Recommended by:
Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT	RY PROJECT MANAGER: Diedra Willis Date: Dece								
PROJECT LOCATION IN			PLETED		the office roject site	(Y/Y)	Date: Dec	ember 13, 2	006
PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: SITE CONDITIONS:							815074 & - nch DuPage	88.0319145 e River	221
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond			[*] 🗖						
Other water (identify type) Check appropriate boxes that	hast describe	type of ico	lated non-	navigable i	tra stata wat	ar present on	d bast astima	ate for size of	inon

Migratory Bird Rule Factors ¹ :	If Knov	vn	If Unknown	If Unknown Use Best Professional Judgment			
			Use Best Pro				
	Yes	No	Predicted	Not Expected to	Not Able To Make		
			to Occur	Occur	Determination		
Is or would be used as habitat for birds protected by							
Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that				ī 🖸			
cross state lines?							
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?							
'Check appropriate boxes that best describe potential for appl	icability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		
non-navigable, intra-state aquatic resource area.	•	9	•	,	•		

Preliminary ☐ Or Approved ⊠

TYPE OF DETERMINATION:

jurisdictional aquatic resource area.

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-792

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Chris Blazevich PROJECT LOCATION/WATERWAY: 5-Acre Vacant Lot at the SW corner of Lewis Ave. and 27th Street in Zion, Lake County, Illinois / 27th Street Ditch FILE NUMBER: LRC-2006-1374 PROJECT REVIEW COMPLETED: ⊠ Office ⊠ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ZION. U. S. Geological Survey Hydrologic Atlas: ZION, HA 233. USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: ZION, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: LAKE COUNTY. Site Visit Conducted on: 14 November 2006 Other information: Rationale for Basis (applies to any boxes checked above): Wetland is an area cut off by the roadway where the water builds up due to slope of property. There is no outlet pipe under the road. The subject wetland is isolated, and therefore non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris Shelving changes in the character of soil other wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is <u>not</u> likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated November 10, 2006, prepared by DK Environmental Services, Inc. This office does not confirm your wetland boundary Date: (2/26/06 Recommended by: Approved by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary

from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

PROJECT REVIEW/DETI	ERMINATIO	ON COM	ike Mach); In :	the office Y roject siteY	` '	Date: 12/2			
PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: SITE CONDITIONS: Illinois Lake 42.445257/-87.855465 5.0 Dead River										
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown	
Lake										
River		 							TĒ	
Stream					16					
Dry Wash									15	
Mudflat										
Sandflat				Ī					TĒ	
Wetlands					1 🗇 📉					
Slough										
Prairie pothole										
Wet meadow										
Playa lake										
Vernal pool										
Natural pond				1 🗆						
Other water (identify type)	_									
Check appropriate boxes that		type of iso	lated, non-	navigable, i	ntra-state wai	er present an	ıd best estim	ate for size of	non-	

Migratory Bird Rule Factors ¹ :	If Know	n	If Unknown					
	Yes	No	Predicted	Use Best Professional Judgment Predicted Not Expected to Not Able To Mal to Occur Occur Determination				
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				⊠				
Is or would be used as habitat by other migratory birds that cross state lines?								
Is or would be used as habitat for endangered species?								
Is used to irrigate crops sold in interstate commerce?								
Check appropriate boxes that best describe potential for applinon-navigable, intra-state aquatic resource area.	icability of	the Migrato	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated.			

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1374

APPLICANT: Joe and Rose Perino PROJECT LOCATION/WATERWAY: +/- 10 Acre parcel on the west side of Hwy. 1 in Crete, Will County, Illinois / Deer Creek and Plum Creek Watersheds FILE NUMBER: LRC-2006-1334 PROJECT REVIEW COMPLETED: ☑ Office ☐ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: STEGER. U. S. Geological Survey Hydrologic Atlas: STEGER, 209. USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: STEGER, 1990. U. S. Geological Survey 7.5-Minute Historic Quadrangles: U. S. Geological Survey 15-Minute Historic Quadrangles: Aerials (Name & Date): April 2002 Advanced Identification Wetland Maps: Site Visit Conducted on: Other information: April 13, 2006 Wetland Delineation Report prepared by JFNew.
Rationale for Basis (applies to any boxes checked above): Both wetland 1 and 2 are isolated depressional areas with no outlet to any other Water of the U.S.; and therefore are non-jurisdictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated April 13, 2006, prepared by JFNew. ☐ This office does not confirm your wetland boundary
Recommended by:
Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT	MANAGE	R: M	like Mach	alek	Date:	27 December	er 2006		
PROJECT REVIEW/DETE	RMINATI	ON COM	PLETED		the office Y roject site N		Date: 27 I	December 2	006
PROJECT LOCATION INF	ORMATIC	ON:		r = c tale p		(-111)			
State:						Illinois			
County:						Will			
Center coordinates	of site by I	atitude &	longitud	inal coordi	nates:	41.42469	90/-87.6333	48	
Approximate size o	f site/prope	erty (inch	iding upla	ands & in a	cres):	10 Acres	5		
Name of waterway			9			Deer Cre	eek and Plur	n Creek	
SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
	_								
Check appropriate boxes that b jurisdictional aquatic resource a		type of iso	lated, non-	navigable, ii	ntra-state wat	er present an	d best estima	ate for size of	non-

Migratory Bird Rule Factors ¹ :	If Known Use Best Professional Judgment						
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?				\boxtimes			
Is used to irrigate crops sold in interstate commerce?							
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, in non-navigable, intra-state aquatic resource area.							

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1334

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Midwest Property Development / John LaFlamboy PROJECT LOCATION/WATERWAY: 8.8 Acre

Calandriello Property North of 139th Street and West of Wolf Road in Orland Park, Cook County, Illinois FILE NUMBER: LRC-2006-1351 PROJECT REVIEW COMPLETED: ⊠ Office ⊠Field Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: SAG BRIDGE. U. S. Geological Survey Hydrologic Atlas: SAG BRIDGE, 149. ☐ USDA Natural Resources Conservation Service Soil Survey for Cook County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: SAG BRIDGE, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: October 31, 2006 Other information: October 27, 2006 Wetland Delineation Report prepared by LRMG. Rationale for Basis (applies to any boxes checked above): Area is a now isolated depression separated by a road saddle due to development to historic drainageway. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary Basis for Declining Jurisdiction: ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated October 27, 2006, prepared by LRMG. This office does not confirm your wetland boundary. Date: [2-13-06 Recommended by: ____ Approved by: Date: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1351			
REGULATORY PROJECT MANAGER: Mike N	Machalek Date	: 13 Dec	ember 2006
PROJECT REVIEW/DETERMINATION COMPLE	TED: In the office Y At the project siteY	. ,	Date: 13 December 2006 Date: 31 October 2006
PROJECT LOCATION INFORMATION:			
State:		Illin	nois
County:		Coc	ok
Center coordinates of site by latitude & long	gitudinal coordinates:	41.6	537284/87.900040
Approximate size of site/property (including	uplands & in acres):	8.8	Acres
Name of waterway or watershed:	,	Lon	ig Run Creek
SITE CONDITIONS:			-

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		\boxtimes							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-urisdictional aquatic resource area.									

Migratory Bird Rule Factors1: If Known If Unknown Use Best Professional Judgment Yes Not Able To Make No Predicted Not Expected to to Occur Occur Determination Is or would be used as habitat for birds protected by X Migratory Bird Treaties? Is or would be used as habitat by other migratory birds that \boxtimes Is or would be used as habitat for endangered species? \boxtimes \boxtimes Is used to irrigate crops sold in interstate commerce? Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Wyndham Deerpoint PROJECT LOCATION/WATERWAY: Kane County
FILE NUMBER: LRC-2006-1205 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: HAMPSHIRE. ☐ U. S. Geological Survey Hydrologic Atlas:
Rationale for Basis (applies to any boxes checked above): Wetland 1 does not exhibit a surface water connection to a navigable waterway, and is therefore not subject to Department of the Army regulations.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soils wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary.
Recommended by:
Approved by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT M	ANAGE	R: K	imberly F	isher	Date:	12/14/2006			
PROJECT REVIEW/DETERM	MINATI	ON COM	IPLETED		the office Y	(Y/N) (Y/N)	Date: 12/	14/2006	
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of s Name of waterway or SITE CONDITIONS:	site by l	atitude &		inal coordi	nates:	Illinois Kane 42.0142	1, -88.52729 ukee River)	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash	$\overline{\Box}$					Ī	1 🗂		
Mudflat				Ī		T T	Ti		TF
Sandflat	Ħ	╁╔	† 	Ī	17	 			†
Wetlands	X	15			15	Ī			
Slough	Ħ	╁╦┈┈	17	t n	17	 	 		15
Prairie pothole		1 🗂 🗆		Ī	1 🗂	† Ti	t n		1 🗂
Wet meadow	-Fi	† 	T Fil	╁ਜ਼	16	 			15
Playa lake	Ħ	m	╅	 Fi	† 	 	1 🗂		
Vernal pool	Ħ-	ΤĦ	THE T	ΙΠ̈́	Ti	† <u>†</u>			1
		T 🗂	一一	Ħ	17	Ħ	Ti		15
Natural pond									

Migratory Bird Rule Factors ¹ :	If Knov	va		If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			☒				
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?				×			
Is used to irrigate crops sold in interstate commerce?							
¹ Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolate		

TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago

Preliminary Or Approved

APPLICANT: Dennis Alf PROJECT LOCATION/WATERWAY: Kane County
FILE NUMBER: LRC-2006-1204 PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: GENEVA. U. S. Geological Survey Hydrologic Atlas: GENEVA, HA 142. USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: GENEVA, 1932 Aerial Photographs (Name & Date):2004 Advanced Identification Wetland Maps: KANE COUNTY Site Visit Conducted on: Other information: FEMA FIRM map, NRCS Swampbuster Map
Rationale for Basis (applies to any boxes checked above): Wetland 1 does not exhibit a surface water connection to a navigable waterway, and is therefore not subject to Department of the Army regulations.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soils wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary.
Recommended by: Date: 12-14-Zoob
Recommended by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1	204									
FILE NUMBER: ERC-2000-1	204									
REGULATORY PROJECT M	IANAGE	R: Ki	mberly Fi	sher	Date:	12/14/2006				
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETED		he office Y	(Y/N) (Y/N)	Date: 12/1	4/2006		
At the project site (Y/N) Date: PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: SITE CONDITIONS: At the project site (Y/N) Date: Hillinois Kane 41.91786, -88.28158 Lower Fox River										
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	Unknown	
Lake	П							1000		
River	ī		ī							
Stream										
Dry Wash										
Mudflat										
Sandflat										
Wetlands	\boxtimes									
Slough										
Prairie pothole										
Wet meadow										
Playa lake										
Vernal pool										
Natural pond										
Other water (identify type)										

Migratory Bird Rule Factors¹:	If Know	/n	If Unknown Use Best Pro	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination			
Is or would be used as habitat for birds protected by Migratory Bird Treaties?								
Is or would be used as habitat by other migratory birds that cross state lines?								
Is or would be used as habitat for endangered species?								
Is used to irrigate crops sold in interstate commerce?								
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.								

Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-

TYPE OF DETERMINATION:

jurisdictional aquatic resource area.

Preliminary Or Approved

APPLICANT: Mr. William Kaper Jr. PROJECT LOCATION/WATERWAY: 5 Acre Property Located At 409 County Line Road In The Village of Barrington Hills, Cook County, Illinois
FILE NUMBER: LRC-2006-1185 PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: USDA Natural Resources Conservation Service Soil Survey for Cook County. U. S. Geological Survey 7.5 Minute Topographic Maps: U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: November 9, 2006 Other information:
Rationale for Basis (applies to any boxes checked above): Wetland 1, as referenced in your delineation report, does not have an identifiable, hydrologic connection to a navigable water.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary
Basis for Declining Jurisdiction:
 ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary. Recommended by: Date:
Recommended by: Date:
Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

Date: 12/13/2006

Paul Leffler

DISTRICT OFFICE: Chicago FILE NUMBER:

REGULATORY PROJECT MANAGER:

PROJECT REVIEW/DETER	MINATI	ON COM	PLETE		In the offic ne project si	*	,				
PROJECT LOCATION INFO	RMATIO	ON:		7 2 4 4 2	ie project si	(17)	t) Date: 11	7/2000			
State:						Illine	ois				
County:						Cool	(
Center coordinates o	f site by I	atitude &	longitu	idinal cod	ordinates:	42.1:	53463 -88.174	223			
Approximate size of						5					
Name of waterway or	r watersh	ed:				Fox					
SITE CONDITIONS:											
Type of aquatic resource'	0-1 ac	1-3 ac	3-5 ac	5-10 a	10-25	ac 25-50 a	> 50 ae	Linear feet	Unknown		
Lake											
River											
Stream											
Dry Wash											
Mudflat											
Sandflat											
Wetlands	\boxtimes										
Slough											
Prairie pothole											
Wet meadow											
Playa lake											
Vernal pool											
Natural pond											
Other water (identify type)											
Check appropriate boxes that bes		type of iso	lated, no	on-navigab	le, intra-state	e water presen	t and best estin	nate for size o	f non-		
jurisdictional aquatic resource are	ea										
Migratory Bird Rule Factors1:				If Know	n	If Unknown	•				
wings atory Bird Rule Factors .				11 Kilow	11	1	Use Best Professional Judgment				
				Yes	No	Predicted	Not Expecte		Able To Make		
_						to Occur	Occur		etermination		
Is or would be used as habitat for Migratory Bird Treaties?	birds prote	ected by									
Is or would be used as habitat by o	ther migr	atory bird:	that			\boxtimes					
cross state lines?											
Is or would be used as habitat for				<u> </u>	 						
Is used to irrigate crops sold in int Check appropriate boxes that bes			'au annli	_ <u> </u>	the Misses	ur Birrel Brille te			tional inclutes		
non-navigable, intra-state aquatic			ог арри	cability of	the Migrator	y Bira Kule to	apply to onsite	, non-jurisaic	itional, isolated		
non-navigable, intra-state aquatie	resource a	ii ca.									
TYPE OF DETERMINATION	٧:				P	reliminary [Or Appr	oved 🛚			
OPITIONAL ADDITIONAL I rationale used to determine NJ connections; and paragraph 4	JD, includ	ling infor	mation	reviewed	to assess p	otential navi					

APPLICANT: Havlicek Builders, Inc. PROJECT LOCATION/WATERWAY: Kane County
FILE NUMBER: LRC-2006-1066 PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: AURORA NORTH. ☑ U. S. Geological Survey Hydrologic Atlas: AURORA NORTH, HA 70. ☑ USDA Natural Resources Conservation Service Soil Survey for Kane County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: AURORA NORTH, 1993. ☑ U. S. Geological Survey 7.5 Minute Historic Quadrangles: ☑ U. S. Geological Survey 15 Minute Historic Quadrangles: ELGIN, 1940 ☒ Aerial Photographs (Name & Date):2004 ☒ Advanced Identification Wetland Maps: KANE COUNTY ☒ Site Visit Conducted on: 9/26/2006 ☒ Other information: FEMA FIRM Map, NRCS Swampbuster Map
Rationale for Basis (applies to any boxes checked above): Wetland 1 and Wetland 2 do not exhibit a surface water connection to a navigable waterway, and are therefore not subject to Department of the Army regulations.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soils wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary.
Recommended by:
Date: 12-14-2006 Date: 12-14-2006

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

REGULATORY PROJECT	Γ MANAGE	R: K	imberly Fi	sher	Date:	12/14/2006			
PROJECT REVIEW/DET	ERMINATIO	ON COM	PLETED		the office roject siteY	(Y/N) (Y/N) Da	Date: ate: 9/26/200	06	
PROJECT LOCATION IN	FORMATIC	ON:							
State:						Illinois			
County:						Kane			
Center coordinate	es of site by la	atitude &	longitudi	nal coordi	nates:	41.8390	1, -88.35344	1	
Approximate size	of site/prope	erty (incl	uding upla	inds & in a	cres):	8.2			
Name of waterway	y or watersh	ed:				Lower F	ox River		
SITE CONDITIONS:	_								
	2017 CHU, 1917 CO. T. C. T. SANSA.								
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond		$\top \overline{\sqcap}$			1 🗖				

Migratory Bird Rule Factors ¹ :	If Know	vn	If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by						
Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that			\boxtimes			
cross state lines?						
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?				\boxtimes		
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, iso						
non-navigable, intra-state aquatic resource area.						

1 Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-

TYPE OF DETERMINATION:

Other water (identify type)

jurisdictional aquatic resource area.

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1066

Preliminary 🔲 Or Approved 🛛

APPLICANT: Engineering Enterprises, Inc. PROJECT LOCATION/WATERWAY: Kane County
FILE NUMBER: LRC-2006-1014 PROJECT REVIEW COMPLETED: SO Office Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: ELBURN. ☐ U. S. Geological Survey Hydrologic Atlas:
Rationale for Basis (applies to any boxes checked above): Wetland 1 does not exhibit a surface water connection to a navigable waterway, and is therefore not subject to Department of the Army regulations.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soils wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary.
Recommended by:
Recommended by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1	014								
REGULATORY PROJECT M	IANAGE	R : K	imberly	Fisher	Da	ate: 12/13/200	5		
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		n the office project sit	, ,	Date: 12/13/20 Date:	006	
PROJECT LOCATION INFO	RMATIC	N:			p. ojece sie	(2777)	2		
State:						Illinois			
County:						Kane			
Center coordinates of						41.935	54, -88.490006		
Approximate size of s	site/prope	rty (inclu	ding up	olands & in	acres):	32.3			
Name of waterway or	· watersh	ed:				Kishwa	aukee		
SITE CONDITIONS:									
					1.0.00				1
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 a	ac 25-50 ac		inear eet	Unknown
Lake				\neg	\neg	<u> </u>			
River	H	H	H	╅		\dashv	 		
Stream	 		H	 		─ 			
Dry Wash	Ħ		THE STATE OF		一市				
Mudflat		iii -	H	T	H				<u> </u>
Sandflat	Ħ-	Ħ	Ħ	 					<u> </u>
Wetlands	X	Ħ		<u> </u>					
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)		} 🗖							
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, no	n-navigable	, intra-state	water present a	and best estimate f	or size of	non-
No. of Public Processing	19900000		_	YCY		Y6 11-3			
Migratory Bird Rule Factors ¹ :				If Known		If Unknown	essional Judgment	+	
CONTRACTOR FEEL TOTAL CONTRACTOR VIOLENCE CONTRACTOR				Yes	No	Predicted	Not Expected to		bie To Make
a relativistical disease de la company de la	Same of the	Patrick		5746		to Occur	Occur	Det	ermination
Is or would be used as habitat for Migratory Bird Treaties?									
Is or would be used as habitat by coross state lines?			s that						
Is or would be used as habitat for						<u> </u>	<u> </u>	1 📙 —	
Is used to irrigate crops sold in int	erstate co	nmerce?	· · · · · · · · · · · · · · · · · · ·		A Minarata	Dind Ded at a	naly to engite non		ional icalas: 4
¹ Check appropriate boxes that bes non-navigable, intra-state aquatic			or appli	capility of th	e Migrator	y Bira Rule to a	ppry to onsite, non	-jurisaicti 	onai, isoiated

TYPE OF DETERMINATION:

Preliminary ☐ Or Approved ☒

APPLICANT: Keating Resources Joliet, Will County, Illinois	PROJECT LOCATIO	N/WATERWAY: Patterson Ro	ad and W Laraway Road in
FILE NUMBER: LRC-2006-981	PROJECT REVIEW	COMPLETED: 🛭 Office 🔲 F	ield
Approved Jurisdictional Determination action. (33 CFR 331.2) Based on available information are no waters on the matter are no waters on the matter are non-jurisdiction are are waters of the U. There are both waters of the U.	on: e project site. nal waters on the project s nited States on the projec	site.	
Basis of Jurisdictional Determination	:		
interstate or foreign commerce, in of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate wa The presence of a tributary to The presence of wetlands adj except for those wetlands adj The presence of an isolated w	are currently used, or well all waters which ters (including interstate an interstate water or other acent ² (bordering, continuent to other wetlands. (vater (e.g., intrastate lakes)	ere used in the past, or may be sare subject to the ebb and flow of wetlands ¹). (33 CFR 328.3 (a)(her water of the US. (33 CFR 32 guous, or neighboring) to interst	of the tide (i.e., navigable waters 2)) 28.3 (a)(5)) tate or other waters of the US, ermittent streams), mudflats,
Information Reviewed			
 ☑ U. S. Fish and Wildlife S ☑ U. S. Geological Survey ☑ USDA Natural Resource ☑ U. S. Geological Survey ☑ U. S. Geological Survey ☑ U. S. Geological Survey ☑ Aerials (Name & Date): ☐ Advanced Identification ☐ Site Visit Conducted on: ☐ Other information: 	Hydrologic Atlas: ELWes Conservation Service S 7.5-Minute Topographic 7.5-Minute Historic Qua 15-Minute Historic Qua Joliet, 1997 Wetland Maps:	OOD, 254. Soil Survey for Will County. Maps: ELWOOD, 1993. adrangles: drangles:	
Rationale for Basis (applies to any boonsite are isolated and therefore not jur		e two unidentified drainage dito	hes and three wetlands located
Ordinary High Water Mark in clear, natural line impre the presence of litter and changes in the character wetland boundary	ndicated by: ssed on the bank	destruction of terrestrial veget shelving other:	ation
Basis for Declining Jurisdiction:			
☐ Unable to confirm the presence☐ Area under consideration☐ Area under consideration	is likely to have been just	CFR 328.3(a)(1), 328.3(a)(2), or risdictional under pre-SWANCO urisdictional under pre-SWANCO	C Migratory Bird Rule criteria
☐ Headquarters declined to appr	ove jurisdiction on the ba	asis of 328.3(a)(3) [attach copy	of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your This office does not confirm	wetland delineation repo	ort dated , prepared by	
	-	Date:	7080 00
Approved by:		Date: >	0 & 06
Investment on identification and delinear desire	- 40	etablished in the Come Wetler J Del	

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-981				
REGULATORY PROJECT MANAGER:	Melyssa Navis	Date: 3	0 Novemb	er 2006
PROJECT REVIEW/DETERMINATION C		In the office Y	(Y/N) (Y/N)	Date: 30 Nov 2006 Date:
PROJECT LOCATION INFORMATION:			, ,	
State:			Illinois	
County:			Will	
Center coordinates of site by latitude Approximate size of site/property (Name of waterway or watershed:			41 29' 5	.37 & 88 07' 10.86
SITE CONDITIONS:				

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool					10				10
Natural pond									
Other water (identify type)									
¹Check appropriate boxes that	_								

Migratory Bird Rule Factors ¹ :	If K	Inown	If Unknown Use Best Professional Judgment					
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination			
Is or would be used as habitat for birds protected by Migratory Bird Treaties?								
Is or would be used as habitat by other migratory birds that cross state lines?								
Is or would be used as habitat for endangered species?					\boxtimes			
Is used to irrigate crops sold in interstate commerce?					\boxtimes			
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.								

Preliminary ☐ Or Approved ⊠

TYPE OF DETERMINATION:

APPLICANT: Wyndham Deerpoint PROJECT LOCATION/WATERWAY: Kane County
FILE NUMBER: LRC-2006-1012 PROJECT REVIEW COMPLETED: Office Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: HAMPSHIRE.
 U. S. Geological Survey Hydrologic Atlas: HAMPSHIRE, HA 459. USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: HAMPSHIRE, 1978. U. S. Geological Survey 7.5 Minute Historic Quadrangles:
Rationale for Basis (applies to any boxes checked above): Farmed Wetland A and Farmed Wetland B do not exhibit a surface water connection to a navigable waterway, and are therefore not subject to Department of the Army regulations.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soils wetland boundary destruction of terrestrial vegetation shelving other:
Basis for Declining Jurisdiction:
 ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary. ☐ This office does not confirm your wetland boundary.
Recommended by:
Recommended by: Date: $12-4-2006$ Approved by: Date: $12-6-2006$
¹ Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: LRC-2006-1									
REGULATORY PROJECT M	1ANAGE	R: Ki	mberly	Fisher	1	Date: 12/4/2	006		
PROJECT REVIEW/DETER	MINATIO	ON COM	PLETE		In the offi e project s	ce Y (Y/N)	Date: 12/4	4/2006	
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of Name of waterway of SITE CONDITIONS:	f site by la site/prope	atitude & erty (inclu		dinal coo	rdinates:	IIIi Ka 42. 40.	nois ne 02316, -88.53598	8	
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-2	5 ac 25-50) ac > 50 ac	Linear feet	Unknown
Lake								1	
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									
¹ Check appropriate boxes that be jurisdictional aquatic resource ar		type of iso	lated, no	on-navigabl	le, intra-sta	ite water pres	ent and best estim	ate for size of	non-
Migratory Bird Rule Factors ¹ :				If Knowi	1	If Unkno	wn Professional Judg	ment	
				Yes	No	Predicted to Occur	Not Expecte	d to Not A	Able To Make termination
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by				×			
Is or would be used as habitat by cross state lines?	other migr	atory birds	that			\boxtimes			
Is or would be used as habitat for	endangere	d species?			+n				
Is used to irrigate crops sold in in	terstate co	mmerce?					\boxtimes		
Check appropriate boxes that be non-navigable, intra-state aquation	st describe	potential f	or appli	cability of	the Migrat	ory Bird Rule	to apply to onsite	, non-jurisdict	tional, isolated
TYPE OF DETERMINATIO	N:					Preliminary	Or Appr	oved 🛚	
OPITIONAL ADDITIONAL rationale used to determine N connections; and paragraph 4	JD, inclu	ding infor	mation	reviewed	to assess	potential na	vigation or inter		